

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SANDEEP SINGH,
Plaintiff,
v.
USCIS, et al.,
Defendants.

Case No. 24-cv-06173-JSC

DISMISSAL ORDER

On August 30, 2024, Plaintiff filed a complaint against United States Citizenship and Immigration Service and its director, Emilia Bardini. (Dkt. No. 1.) The complaint alleges “[a]lthough nearly three years have elapsed since [he] filed for asylum, Defendants have failed to adjudicate his application.” (*Id.* ¶ 8.) That same day, a summons was issued as to Ms. Bardini. (Dkt. No. 5.)

On January 6, 2025, the Court issued an order to show cause. (Dkt. No. 7.) The Order explained:

Federal Rule of Civil Procedure 4(m) provides that “[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Over four months have elapsed since issuance of the summons, but according to the docket, Plaintiff has yet to serve Defendant as required by the Federal Rules of Civil Procedure 4(m).

(*Id.*) So, by January 21, 2025, Plaintiff was ordered to show cause as to why the action should not be dismissed for failure to serve. (*Id.*)

Plaintiff did not file a response to the Court’s order to show cause within the time period provided. And according to the docket, Plaintiff has yet to serve Defendant. The Rule 4(m)

1 period for service of process expired in late November 2024. Accordingly, pursuant to Rule 4(m),
2 the Court DISMISSES this civil action without prejudice.

3 The Clerk is directed to close the action.

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5 **IT IS SO ORDERED.**

6 Dated: January 23, 2025

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9 JACQUELINE SCOTT CORLEY
10 United States District Judge
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